IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 21436 of 1998

Between:

1 Smt.G.Nagamani, W/o G.Nageswara Rao,
R/o Vijayawada. Vehicle No.AP9U 6307.
2 CH.Purna Chandra Rao, S/o Ch.Mallikarjuna Rao,
R/o Vijayawada. Vehicle No.ABK 9759.
3 S.Dastagiri, S/o Galab,
R/o Vijayawada. Vehicle No.AHT 6447.
4 T.Saroj, W/o RamaRao,
R/o Vijayawada. Vehicle No.ADJ 4698.
5 M.Krishna Murthy, S/o Potha Raju,
R/o Vijayawada. Vehicle No.ADM 3677.

..... PETITIONERS

AND

The Secretary,
Regional Transport Authority, Vijayawada.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other writ, order or direction, declaring that the action of the respondent insisting the gross vehicles weight of vehicles of the petitioners bearing registration numbers as mentioned in the cause title as 15,244 Kgs as illegal contrary to law and further hold that the said vehicles are entitled to be assigned a gross vehicle Weight of 16,200 Kgs is in accordance with Sec.58(4) and consequently direct the respondent herein to enter the gross vehicles weight of 16,200 Kgs. in the registration certificates of the vehicles.

Counsel for the Petitioners: MR.B.CHANDRA SHEKHAR

Counsel for the Respondent: GP FOR TRANSPORT

The Court made the following:

ORDER:

This writ petition is filed seeking a writ of Mandamus to declare the action of the respondent-Secretary, Regional Transport Authority, insisting the Gross Vehicle weight of the vehicles of the petitioners as 15,244 kgs as illegal and arbitrary and consequently, to direct the respondents to enter the gross vehicle weight of 16,200 kgs in their registration certificates.

When the matter is taken up for hearing, it is submitted by the learned counsel appearing for the petitioners and conceded by the learned Government Pleader for Transport appearing for the respondent that the issue involved in this writ petition is squarely covered by the judgment of the Apex Court in **N.Venkateswara Rao Vs. S.T.A.**, wherein the Apex Court has elaborately discussed the matter and dismissed the writ appeals and W.P.No.6211 of 1990 and batch.

Accordingly, following the aforesaid judgment of the Apex Court, this writ petition is also dismissed for similar reasons. No order as to costs.

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08.04.2005

dr/tvk

To

1 The Secretary,
Regional Transport Authority, Vijayawada.

2 2 CCs to Government Pleader for Transport,

High Court Buildings, Hyderabad. (OUT)

3 2 CD copies